PRACTICE—NEW TRIAL—GENERAL VERDICT SUPPORTED BY ONE GOOD SPECIFICATION OF NEGLIGENCE STANDS, THOUGH OTHERS INSUFFICIENT.—The plaintiff's automobile was damaged by striking a "silent policeman" lying in the street. He sued the defendant on two specifications of negligence in the maintenance of its highways: (1) in placing a guidepost in the street; (2) in allowing it to remain there after being knocked over. The trial court submitted both specifications of negligence to the jury, and a general verdict was rendered for the plaintiff. *Held,* that the general verdict must stand, since there were facts warranting a finding of negligence in allowing the guidepost to remain in the street after it had been knocked over, although placing it there was not in itself negligence. *Aaronson v. City of New Haven* (1920, Conn.) 110 Atl. 872.

Where there are two or more causes of action each giving rise to separate damages, the universal rule is that a general verdict will not stand where there is one bad count. *King v. Beaumier* (1918, Wyo.) 174 Pac. 612; *Hunt et al. v. C. B. & Q. Ry.* (1914) 95 Neb. 746, 146 N. W. 986; *Leverone v. Arancio* (1901) 179 Mass. 439, 61 N. E. 45. The English courts have applied this rule in cases where there is only one cause of action stated in several counts. *Grant v. Astle* (1781, K. B.) 2 Doug. 722; see *Hambleton v. Veere* (1662, K. B.) 2 Saunders Part 2, 169, 171a, note; 1 Chitty, *Pleading* (16th Am. ed. 1879) 426, 427. But the rule has been lamented by Lord Mansfield. *Grant v. Astle* (1781, K. B.) 2 Doug. 730. However, in an action for slander if all the words were spoken at one time and laid in one count, a general verdict will be sustained, although some of the words were not actionable. See *Hambleton v. Veere* (1662, K. B.) 2 Saunders Part 2, 169, 171d, note. This is somewhat analogous to the principal case where there are two specifications of negligence for one cause of action. Connecticut and South Carolina seem to have always had a rule contrary to the English one, applying to one cause of action stated in several counts. *Lewis v. Niles* (1792, Conn.) 1 Root, 433; *Neil v. Lewis* (1798, S. C.) 2 Bay, 204. There appears to be no practical reason for distinguishing between a cause of action stated with each specification of negligence in a separate count, and the same cause of action stated with all the specifications in one count. The weight of authority in the United States is against the rule of the instant case. *Fowkes v. J. I. Threshing Machine Co. et al.* (1915) 46 Utah, 502, 151 Pac. 53; *Wrought Iron Wrange Co. v. Zeitz* (1917) 64 Colo. 87, 170 Pac. 181. But various states have seen fit to incorporate it in their statutes. *Blanchard v. Vermont Shade Roller Co.* (1911) 84 Vt. 442, 79 Atl. 911; see Gen. Laws of Vt. (1917) 1799; *Pete Pochco v. Illinois Terminal Ry.* (1918) 210 Ill. App. 598; see Puterbough, *Pleading & Practice, Common Law Forms* (9th ed. 1917) 1153. While in others it seems to be the common-law rule. *Owens v. Hannibal and St. Joseph Ry.* (1874) 58 Mo. 386. The presumption under the English theory is that only sufficient issues were found to give the verdict for the plaintiff; therefore, if one specification is unsupported by the evidence the verdict must be reversed, as there is no way of telling on what issue or issues the jury based their verdict. On the other hand, the presumption in the principal case is that all issues were found for the plaintiff; therefore, one good specification will support the verdict. Where separate verdicts on each count or special interrogatories are allowed, the rule in the principal case merely puts the burden of asking for them on the defendant if he does not wish to risk a general verdict. In close questions of fact it may do injustice if separate verdicts are not demanded. But if recognized as a rule, the fault will then be with the party failing to request them. On the whole this rule tends to prevent retrials.

PROPERTY—UNPATENTED INVENTION NOT "PROPERTY" OF JUDGMENT DEBTOR.—The defendant, a judgment debtor, claimed to have invented a device for sound production, and to have constructed models thereof, which had not been patented or made public. Proceedings supplementary to execution were brought under the